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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,182	05/24/2001	Yasuhiro Sato	4041J-000384	2999
27572	7590	11/05/2003	EXAMINER	
HARNES, DICKEY & PIERCE, P.L.C.			CIRIC, LJILJANA V	
P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	

3753

DATE MAILED: 11/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/865,182

Applicant(s)

Sato et al.

Examiner

Ljiljana V. Ciric *LC*

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Aug 11, 2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4, 6-8, 10, 15, and 16 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 6-8, 10, 15, and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on May 24, 2001 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office action is in response to the amendments and arguments filed on August 11, 2003.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 3, 4, 6 through 8, 10, and 15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the pin having a cross shape in cross section as newly recited in claim 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. Claims 1, 3, 4, 6 through 8, 10, 15, and 16 are objected to because of the following informalities, for example: "in a direction crossing an insertion direction of the pin into the hole" [claim 1, lines 16-17] should be replaced with "in a direction perpendicular to the insertion

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direction of the pin into the hole” or with “in a direction transverse to the insertion direction of the pin into the hole”, or similar, as appropriate, for improved readability and idiomatic correctness; “in the direction crossing the insertion direction of the pin into the hole” [claim 1, lines 18-19] should be replaced with “in the direction transverse to the insertion direction of the pin into the hole” or “in the direction perpendicular to the insertion direction of the pin into the hole”, or similar, as appropriate; if the plate portion recited in line 7 of claim 6 refers to the plate portion first recited in line 3 of claim 3, then the dependence of claim 6 should be changed from claim 1 to claim 3; “to protrude to the insertion direction” [claim 6, line 3] should be replaced with “to protrude in the insertion direction” for improved grammatical correctness. Appropriate correction is required.

***Claim Rejections - 35 U.S.C. § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 16 recites the pin as having a cross shape in cross-section but even following a close inspection of the originally filed specification and drawing, it is not clear which particular cross-section of the pin is cross-shaped, thereby rendering claim 16 indefinite with regard to the intended scope of protection sought. Also with regard to claim 16 as written, the alternative limitations “the pin is provided to protrude in the insertion direction from a wall surface of one of

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the first and second units” when considered in conjunction with the previous recitation of the alternative limitations “a pin provided on one of the first and second units” as recited in claim 1 from which claim 16 depends further render indefinite the scope of protection sought by the claim.

***Claim Rejections - 35 U.S.C. § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 3, 4, 6 through 8, 10, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by *da Luz Moreas*.

*Da Luz Moreas* discloses an air conditioning unit essentially as claimed, including, for example: a first unit 12; a second unit 14; a hook 553 [see Figures 2 and 51] broadly readable on the pin with a hook-shaped engagement portion as recited in the claims of the instant invention; an attachment stay including an elongated hole 554 [see Figures 11 and 13], the term “stay” being broadly interpreted as referring to a support; and, a fastening member or pin 78 as broadly interpreted as required.

The reference thus reads on the claims.

9. Claims 1, 3, 4, 6, 7, 10, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by *Heine et al.*

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*Heine et al.* discloses an air conditioning assembly essentially as claimed, including, for example: a first unit 1; a second unit 2; a pin 21 ending with a hook-shaped engagement portion 22 [see Figures 10 and 10a]; an attachment stay including elements 23 and 24 and a elongated hole [the hole being shown vertically in each of Figure 10 and 10a]; and, pins 9 and 10 each being readable on the fastener member as recited in the claims of the instant invention.

The reference thus reads on the claims.

10. The non-application of art against claim 16 should not be construed as an indication that the claim contains allowable subject matter but rather that the patentability of the claim cannot be determined at this time due to indefiniteness of the claim under 35 U.S.C. 112, second paragraph.

#### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. *Cha et al.* discloses a connector assembly including at least one pin ending in a hook portion and at least one other fastening member.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action.

In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

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statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Ciric, whose telephone number is (703) 308-3925. While she works a flexible schedule that varies from day to day and from week to week, Examiner Ciric may generally be reached at the Office during the work week between the hours of 10 a.m. and 6 p.m. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel, can be reached on (703) 308-1272. The NEW central official fax phone number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

lvc

November 1, 2003

  
LJILJANA V. CIRIC  
PRIMARY EXAMINER  
ART UNIT 3753